



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
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**Board of Health Meeting Minutes
Wednesday, September 9, 2015
Ground Floor Conference Room
Arlington Senior Center
5:30pm**

Board Members in Attendance: Dr. Marie Walsh Condon, Mr. Kenneth Kohlberg, Dr. Michael Fitzpatrick

Staff in Attendance: James Feeney, Acting Director of Health & Human Services/Health Compliance Officer, Natasha Waden, Health Compliance Officer, Kara Katz, Public Health Nurse, Hannah Fast, Public Health Associate

Others in Attendance: None

Recording Secretary: Laura Munsey, Health and Human Services Administrative Assistant

Meeting called to order by Dr. Marie Walsh Condon at 5:30 pm.

A motion was made by Dr. Michael Fitzpatrick, which was seconded by Mr. Kenneth Kohlberg, to approve the May 20, 2015 minutes as submitted.

Vote: Motion approved unanimously (3-0)

Update: Application to Work with rDNA: Tetragenetics – 91 Mystic Street

Mr. Feeney provided the Board with a copy of the May 26, 2015 letter to Dr. Ashot Papoyan of Tetragenetics regarding the Board's conditional approval of their application for a permit to work with rDNA and biological agents at 91 Mystic Street. Mr. Feeney informed the Board that Tetragenetics has not yet relocated to the above referenced facility but is actively providing all the necessary documents required for compliance with the conditional approval letter.

Update: Fireworks Related Public Health Concerns

Ms. Waden stated that in response to the February 4, 2015 presentation by Steve and Lisa Reynolds regarding their concerns surrounding potentially negative public health effects of Town Day fireworks, the staff researched and analyzed data regarding their concerns. Ms. Waden introduced Ms. Hannah Fast, Public Health Associate. Hannah completed the research and reported her findings to the Board.

Ms. Fast provided the Board with the summation of her research and analysis. At this time, she believes the relatively low risk of contamination to Arlington residents does not seem to warrant regulating firework displays beyond what is already required by the State. She stated that it is unlikely that fallout and debris from fireworks launched in Spy Pond would contaminate Arlington's drinking water, because Arlington municipal water is sourced from the Quabbin and Wachusett Reservoirs in Western Mass. She stated it could be

beneficial to have a discussion with Arlington's hired contractor about their plan to clean up Spy Pond after launching of the fireworks display and the best way for residents to dispose of any debris that falls on their private property. She stated that a review of safe firework guidelines released by the Massachusetts Department of Environmental Protection (MassDEP) and the United States Department of Defense indicated three recommendations for reducing the harms of perchlorate contamination, which may be present in fireworks displays.

First, regulators should be aware of how close launch sites are to public and private drinking supplies. Secondly, it is recommended that firework debris is immediately cleaned up after a display. Ms. Fast stated that all supervised firework displays in Massachusetts must be permitted at the State level, which includes regulations on cleanup. Lastly, using fireworks with low or no amounts of perchlorate is the safest way to prevent environmental contamination.

Ms. Fast concluded her analysis by stating that it appears firework-related environmental and health risks may be a growing public health issue in years to come, and it will benefit the Board of Health to stay aware and informed of the issue.

Discussion: Regulations Restricting the Sale of Medical Marijuana

Mr. Feeney informed the Board there have been several calls expressing interest in opening a registered marijuana dispensary in Arlington. Two of these callers were very eager to learn about the process to open such an establishment in Arlington. Mr. Feeney advised the Board that although the State of Massachusetts regulates such establishments, Massachusetts General Laws Chapter III, Section 31 allows Boards of Health to make reasonable health regulations within their communities if they so choose, and he requested a discussion with the Board share their thoughts regarding this option.

Mr. Feeney provided the Board with copy of the 2014 draft regulations provided by Mr. D.J. Wilson. He informed the Board that Salem, Massachusetts was the first community to open a registered marijuana dispensary, and that community decided not to regulate at the local level. He further stated any community that wishes to implement local regulatory authority has not had its Regulations "tested" yet.

Some concerns that have been identified include:

- Individuals gathering outside the establishments before or after their purchases; (smoke clouds, odor, etc.);
- The potential for increased crime whereas these are cash only businesses;
- The potential of individuals operating motor vehicles in an impaired state after consumption of marijuana products;
- The potential that "edible" marijuana products with high THC potency levels may have a more immediate and adverse effect on the consumer;
- The potential strain (resources and financial) on the local agencies charged in overseeing regulatory authority over these establishments (i.e. Police, Board of Health, etc.).

All Board members were in agreement, that based on the information available at this time, they believe it is in the best interest of Arlington to have local regulatory authority over any registered marijuana dispensary in the community. It was recommended that sample regulations created by other municipalities within Massachusetts be collected and reviewed for analysis. Ms. Kara Katz also recommended looking at regulations from States that have legalized marijuana for recreational use (i.e. Colorado, California, Oregon, and Washington). It was established that zoning bylaws could control where such an establishment be located. Town departments will work collaboratively to permit any registered marijuana dispensary that comes to Town. The Planning Department may look at other communities in the surrounding area (Cambridge, Somerville, Medford, etc) to analyze their plans.

Mr. Feeney recommended tapping into professional resources such as D.J. Wilson and John Scheft, who might be able to assist with establishing a set of local regulations. The Board recommended inviting both of these individuals to a future meeting for further discussion.

Environmental Updates

Ms. Waden updated the Board that:

- There were no Bathing Beach closures
- Several Recreational Camp permits were issued
- Many demolition permits have been issued
- Many rodent complaints have been received throughout many areas in town. Over 500 letters were sent to residents in affected areas providing information on steps that can be taken to assist with the problem such as proper composting, eliminating food sources and places of harborage, keeping yards, sheds, and gardens free of debris, etc. The Board of Health will continue to work with local establishments regarding trash, dumpsters, and keeping alleys clean. The Board of Health will continue to work with DPW to bait sewers in areas of visible rodent activity.
- Several nuisance complaints have been received regarding power sanding.

Restaurant Updates

Ms. Waden updated the Board on the status of the NACCHO Mentorship Program (Retail Food Standards) grant that the Arlington Board of Health was awarded in December of 2014. She informed the Board that Arlington was paired with Lake County Health Department in Ohio, and had a great experience working with them. Upon the completion of the self-assessment both mentors and staff were surprised and discouraged that we did not currently satisfy any of the 7 Standards. It was noted, however, that many of the policies and procedures of the standards are followed, but documentation is not always readily available. It was stated that there are many small things that can be done, which will not be a burden to budget or staff, such as implementing new policies and procedures into the everyday work flow. It was recommended the Board look at adopting a new version of the food code and the purchase of electronic software. Ms. Waden informed the Board that when self-assessing Standard 7 (Community Outreach) Arlington was very close to meeting the Standard. She further stated the BOH would like to start a monthly newsletter that can be distributed to all restaurants to further enhance communication. Ms. Maureen Lee assisted with the self-assessment and joined Ms. Waden and Mr. Feeney at a conference in Washington this past summer.

Ms. Waden informed the Board of the following:

- Za'atar closed – Magic Bites Bakery opened at this location
- Francesca's Kitchen closed – Sugo Cucina Italiana opened at this location.
- Lady Siam closed – Thana Tai opened at this location
- Katmandu closed – Zhu opened at this location

A new Residential Kitchen has opened in Arlington: Hand Pies

Public Health Nurse Updates

Ms. Waden and Mr. Feeney introduced Ms. Kara Katz to the Board and informed them that Ms. Katz was hired in May of 2015 as the new Public Health Nurse. Ms. Katz shared her academic and professional experience with the Board and provided updates on several of the projects she has been working on including:

Tracking Infectious Diseases of MAVEN

Flu Clinics

Hoarding Cases

Narcan Distribution

Drug Take Back Days

Community Outreach Projects

Researching Grant Opportunities for a Language Translation project.

Increasing Sharps Collection Opportunities

Public Comment:

None

Meeting was adjourned at 6:40 pm.

Next Scheduled Meeting: October 21, 2015